

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

**CIVIL CONFERENCE
MINUTE ORDER**

BEFORE: JAMES ORENSTEIN
U.S. MAGISTRATE JUDGE

DATE: 12/3/08
TIME: 3:30 p.m.

Eduard Korsinsky v. Experian Information Solutions, Inc., et al.
07-CV-3405 (DLI) (JO)

TYPE OF CONFERENCE: Pretrial

APPEARANCES:	Plaintiff	<u>Michael Korsinsky, Tab Rosenfeld</u>
	Key Bank	<u>Andrew Karamouzis</u>
	PHEAA	<u>Adam Michaels</u>
	Experian	<u>Tukka Hess</u>

SCHEDULING: There are no further conferences scheduled before me at this time.

THE FOLLOWING RULINGS WERE MADE:

1. Discovery is closed. The parties will complete the exchange of certain outstanding items on a consensual basis and advise me if any disputes arise in that regard.
2. The parties have submitted a joint pretrial report that substantially complies with the individual practice requirements of Judge Irizarry, to whom the case has been assigned up until today.
3. The parties discussed settlement but did not reach agreement. The plaintiff and defendant Key Bank will continue to discuss the possibility of a settlement among themselves.
4. The parties agree that although some limited discovery will be needed if defendant PHEAA is permitted to file a third-party complaint against Experian (which, as a defendant to the claims in the original complaint, has already settled with the plaintiff), the interest of efficiency will best be served by postponing such discovery until the court resolves PHEAA's motion for summary judgment on the plaintiff's claims against it. If the plaintiff prevails in opposing that motion, I will then rule on the motion to amend and, if the latter motion is granted, set a schedule for discovery on the third-party claim.

SO ORDERED

/s/ James Orenstein
JAMES ORENSTEIN
U.S. Magistrate Judge